



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, January 18, 2006

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Jean Hamilton, AICP, Principal Planner

Susan Walton, Principal Planner

**Plan Implementation Division
Joseph Horwedel, Deputy Director**

**Stephen M. Haase, AICP
Director Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **January 18, 2006**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Gina Robles (gina.robles@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

- a. **H04-010. Site Development Permit** to construct one 3,346 square foot duplex on a 0.16 gross acre site in the R-M Multiple Residence Zoning District, located at the south side of East Virginia Street approximately 150 feet westerly of South First Street (30 W VIRGINIA ST) (Tran Ngoc Van And Le Kim Xuyen, Owner). Council District 3. SNI: Washington. CEQA: Exempt. **Deferred from 01/11/06.**

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be adopted by one motion. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **PDA03-050-01. Planned Development Permit Amendment** to delete a permit condition for a previously required sound wall for an approved 135 unit residential project on an 8.2 gross acres site in the A(PD) Planned Development Zoning District, located on the south side of Curtner Avenue approximately 750 feet easterly of Highway 87 (Summerhill Homes/Bob Hencken, Developer). Council District 7. SNI: None. CEQA: Addendum to EIR. **Deferred from 01/11/06.**
- b. **SF05-042. Single Family House Permit** to allow an addition that will result in a floor area ratio of 48% (total house size of 3,022 square feet excluding garage) in the R-1-8 Single-Family Residence Zoning District, located at/on the west side of Craig Drive approximately feet 400 feet north of Edsel Drive (1031 Craig Drive). (Luk Un Lo, Owner). Council District 1. SNI: None. CEQA: Exempt. **Deferred from 01/11/06.**
- c. The projects being considered are located on the southeast corner of Fleming Avenue and Morrie Drive (1351 FLEMING AV), in the A(PD) Zoning District (WALLECH JUDITH M TRUSTEE & ET AL, Owner; BRADDOCK & LOGAN GROUP Mr JAMES SULLIVAN, Developer). Council District 5. SNI: None. CEQA: Mitigated Negative Declaration, File No: PDC05-043.

1. **PD05-061. Planned Development Permit** to construct 12 single-family detached residences on a 3.19 gross acre site.
 2. **PT05-079. Vesting Planned Tentative Map Permit** to subdivide one parcel into 12 lots for single-family detached residential uses on 3.19 gross acre site.
- d. The projects being considered are located on the north side of Auzerais Avenue between Sunol Street and Los Gatos Creek (801 Auzerais Avenue), in the A(PD) Planned Development Zoning District (KB Home Southbay, Owner/Developer). Council District 6. SNI: Burbank/Del Monte. CEQA: Environmental Impact Report, File No. PDC03-071.
1. **PD03-079. Planned Development Permit** to allow the demolition of the existing cannery buildings and the construction of 383 single family attached residences on a 12.4 gross acre site.
 2. **PT03-112. Vesting Planned Tentative Condominium Map Permit** to subdivide 2 parcels into 20 lots for single-family attached residential uses on a 12.4 gross acre site.
- e. **TR05-137. Tree Removal Permit** request to allow for the removal of a Monterey Pine tree, 180 inches in circumference on a 0.13 gross acre lot in the R-1-8 Single-Family Residence Zoning District, located at the 4624 Kirk Road (4624 KIRK RD) (Mc Cusker Rourke P And Cheryl L, Owner). Council District 9. CEQA: Exempt.
- f. **SP05-046. Special Use Permit** to allow the reinstatement of a legal non-conforming use to allow a restaurant and bar with 24 hour operation (open after midnight) within an existing building on a 1.05 gross acre site in the HI Heavy Industrial Zoning District, located on the east side of Oakland Road approximately 950 feet southerly of Rock Avenue (1984 OAKLAND RD) (Huddleston Walter L Sr Trustee, Owner). Council District 4. SNI: None. CEQA: Exempt.

This concludes the Planning Director's Hearing for January 18, 2006. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:

<http://www.sanjoseca.gov/planning/hearings/default.asp>

PUBLIC INFORMATION COUNTER

(408) 535-7800 CITY OF SAN JOSE